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January 23, 2008

VIA E-FILING AND HAND DELIVERY

The Honorable Vincent J. Poppiti
Blank Rome LLP
Chase Manhattan Centre, Suite 800
Wilmington, DE 19801-4226

Re: *ProMOS Technologies, Inc. v. Freescale Semiconductor, Inc.*
C.A. No. 06-788 (JJF)

Dear Judge Poppiti:

As a follow-up to the parties' teleconference with the Special Master on January 17, 2008, enclosed is a proposed form of Order agreed to by the parties.

Respectfully,



Mary B. Graham (#2256)

MBG/nlm

cc: All Counsel of Record
1417320

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PROMOS TECHNOLOGIES, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 06-788 (JJF)
)	
FREESCALE SEMICONDUCTOR, INC.,)	
)	
Defendant.)	

STIPULATED ORDER EXTENDING THE DISCOVERY DEADLINE

On January 8, 2008, Defendant Freescale Semiconductor, Inc., ("Freescale") moved for an extension of the discovery deadline until February 29, 2008. Each of the parties submitted letters to the Court, in which they stated their positions regarding Freescale's motion for an extension. On January 17, 2008, Freescale and Plaintiff, ProMOS Technologies, Inc. ("ProMOS") participated in a telephonic hearing on the issue before Special Master Vincent Poppiti, during which each party was given the opportunity to be heard. During the telephonic hearing, agreement was reached by the parties regarding disposition of Freescale's Motion for Extension of the Discovery Deadline.

Based on the Stipulation of the parties, after reviewing and considering the parties' submissions related to Freescale's motion, the Court being otherwise fully advised and good cause having been shown;

IT IS HEREBY ORDERED

- 1) The current discovery deadline, January 21, 2008, is extended until February 1, 2008 for the purpose of permitting further discussions among the parties and the Special Master and for a determination by the Special Master of the schedule for the completion of discovery. The parties will

provide status reports by telephone to Special Master Poppiti on January 24, 2008 at 5:30 p.m. and on February 1, 2008 at 2:30 p.m. EST. Between the date of this Order and February 1, 2008, the parties will diligently work to schedule outstanding depositions and complete document production in this matter;

- 2) Freescale will produce the following types of documents: schematics for any custom library elements or design schematics (but not standard cell library schematics); high level documents, such as microarchitecture documents on both the core and a product-level basis, market requirement documents, product requirement documents, and architectural definition documents; testing documents, such as verification plans, on both the core level and product level; and, any additional design presentations that Freescale can locate after a reasonable and thorough search on both the core level and a product level. For the products accused of infringement in this matter as of the date of this Order, Freescale will make a rolling production of these documents and will make a good-faith effort to complete this production by not later than January 31, 2008. To the extent that additional documents come to Freescale's attention, Freescale will produce them promptly thereafter.
- 3) In order to determine whether the deposition of James Nash as a 30(b)(6) witness should proceed as currently scheduled on January 24, 2008, the parties agreed to meet and confer on January 18, 2008, and Freescale agreed to report regarding the status of the production of those particular

documents identified in paragraph 2 above which relate to the MPC55xx products and 30(b)(6) deposition topics for which James Nash is being designated by Freescale to testify at deposition on January 24, 2008.

ENTERED this ____ day of January, 2008

Vincent J. Poppiti (DSBA No. 100614)
Special Master

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